

**Nelson
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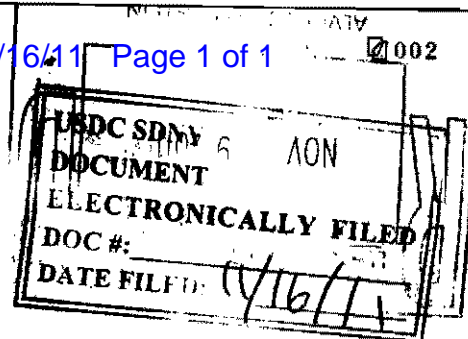
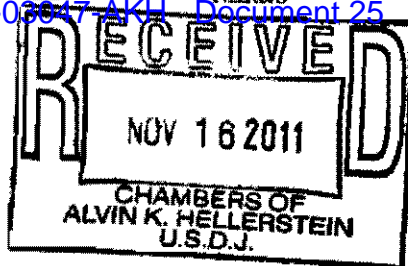
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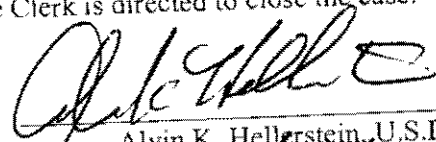
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November 16, 2011

Via Facsimile

Honorable Alvin K. Hellerstein
United States District Judge
Southern District of New York
Chambers 1050
500 Pearl Street
New York, NY 10007

A suggestion of settlement having been made, this case is dismissed, subject to restoration by either party within 30 days on notice. All pending court dates are cancelled. The Clerk is directed to close the case.


Alvin K. Hellerstein, U.S.D.J.
Date: 11/16/11

**Re: *Bayer HealthCare LLC v. Eli Lilly and Company;*
11 Civ. 3047 (AKH)**

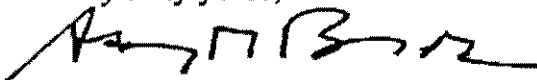
Dear Judge Hellerstein:

We represent Eli Lilly and Company in the above-referenced matter. We are pleased to inform the Court that the parties have reached an agreement in principle to resolve this matter and currently await the review and signature of the appropriate client representatives. In that regard, we expect to submit to the Court in the next few days a proposed Consent Decree for review.

In light of the above, we respectfully request that the conference scheduled for this Friday, November 18, be adjourned. There have been no previous requests for adjournment in this matter.

We are authorized to state that counsel for the plaintiff consents to this request. Thank you very much.

Very truly yours,


Stephen M. Brooks

cc: David H. Bernstein (via email)
Michael Schaper (via email)

With twelve office locations in the District of Columbia, Florida, Georgia, Massachusetts, North Carolina, South Carolina, and West Virginia